

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 743 of 2010

*Apex Institute of Industrial
Technology (ITC)*

.....

Petitioner

Mr. D.P. Dash, Advocate

Vs.

*Director General of Employment
and Training (DGE & T) and others*

.....

Opposite parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. PANIGRAHI

ORDER

07.01.2022

Order No.

06.

This matter is taken up through hybrid mode.

2. Heard Mr. D.P. Dash, learned counsel for the petitioner and Mr. A.K. Mishra, learned Addl. Government Advocate for opposite parties no.3 and 4.

3. The petitioner has filed this writ petition seeking to quash the order of rejection under Annexure-5, and to issue direction to the opposite parties no.1 and 2 including other departmental authorities of the DGE &T and NCVT to grant NCVT approval/affiliation in respect of the additional "Fitter 2 (1+1) Units and Electrician 2 (1+1) Units to the petitioner's I.T.C. w.e.f. the academic sessions 2009-10.

4. Mr. D.P. Dash, learned counsel for the petitioner contended that the case of the petitioner has already been recommended by opposite party no.4 vide Annexure-4 dated 16.11.2009, but no decision has been taken thereof.

5. Mr. A.K. Mishra, learned Addl. Government Advocate appearing for opposite parties no.3 and 4 contended that the recommendation has been made on 16.11.2009 under Annexure-9 and, therefore, whether the same has been taken into consideration or not, he has no instruction. Rather, the order impugned in Annexure-5 has been

passed so far it relates to the claim of the petitioner is concerned.

6. Counter affidavit has been filed by opposite parties no.1 and 2 wherein it has been stated that the proposal recommended by the Standing Committee was subsequently rejected by the DGE & T in their NCVT sub-committee meeting for affiliation held on 17.08.2009 and 27.11.2009 with remarks "shortage of space Electrician-9 sq.mt. and Fitter-15 sq. mt. and workshop located in different location for additional units. Thereby, the claim of the petitioner cannot be accepted.

7. Having heard learned counsel for the parties and after going through the records, this Court finds that case of the petitioner has already been recommended by opposite party no.4 vide Annexure-4 dated 16.11.2009 and, as such, learned counsel for the petitioner states that the same is still pending and no decision has been taken on the same by the authority. In such view of the matter, if the opposite parties have not taken any decision on the recommendation made by opposite party no.4 under Annexure-4 dated 16.11.2009, let the same be considered by the authority and appropriate order passed in accordance with law and result thereof be communicated to the petitioner within a period of three months from the date of production of certified copy of this order.

8. The writ petition is accordingly disposed of.

(DR. B.R. SARANGI)
JUDGE

(S.K. PANIGRAHI)
JUDGE

Ashok